

COURT PROCEEDINGS

FRIDAY, APRIL 28, 1916.

Supreme Court of the United States.
Present: The chief justice, Mr. Justice McKenna, Mr. Justice Holmes, Mr. Justice Hughes, Mr. Justice Van Devanter, Mr. Justice Pitney and Mr. Justice McReynolds.

James Mann, of Norfolk, Va.; Arthur A. Miller, of Crookston, Minn.; Frederick W. Longfellow, of New York City; H. P. Brown, of Cleburne, Texas; Charles H. Reid, Jr., of Bangor, Me.; D. J. McGuire, of Lewiston, Me., and Sam M. Wassell, of Little Rock, Ark., were admitted to practice.

No. 112—The Levee and Zinc Mining Company et al. plaintiffs in error, vs. Charles Coleman. Leave granted to file reply brief herein, on motion of Mr. H. P. White for the plaintiffs in error.

No. 1. Original. Ex parte in the matter of Elbert R. Robinson, petitioner. Motion for leave to file petition submitted by Mr. James W. Ellis for the petitioner. No. 113—James F. Thrift, administrator of the city of Baltimore, plaintiff in error, vs. Philip D. Laird. In error to the Court of Appeals of the State of Maryland. Dismissed with costs, on motion of counsel for the plaintiff in error.

No. 114—B. S. Stowe, trustee, etc., appellant, vs. S. G. Harvey. Argument continued by Mr. A. E. Shaw for the appellant, and by Mr. Charles S. Wheeler for the appellee, and concluded by Mr. A. E. Shaw for the appellant.

No. 115—The First National Bank of Danvers, plaintiff in error, vs. William A. Kahnast et al. Argument commenced by Mr. Robert Newbegin for the plaintiff in error, and continued by Mr. T. T. Shaw for the defendants in error.

Adjudged until Monday at 12 o'clock. The day call for Monday, May 1, will be as follows: Nos. 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

United States Court of Customs Appeals.
Present: Presiding Judge Montgomery and Associate Judges Smith, Barber, De Vries and Martin.

No. 1877—St. Elmo Cigar Co. vs. United States. Leaf tobacco. Motion of appellant to defer printing the record granted.

No. 1878—Roger vs. Gallet vs. United States. Talcum powder. Argument commenced by Mr. B. A. Levett for the appellant, continued by Mr. Bert Hanson for the appellee and concluded by Mr. B. A. Levett for the appellant.

No. 1879—St. Elmo Cigar Co. vs. United States. Leaf tobacco. Argument commenced by Mr. William L. Wemple for the appellant, continued by Mr. Bert Hanson for the appellee and concluded by Mr. William L. Wemple for the appellant.

U. S. Court of Claims.
Chief Justice Edward C. Campbell, Judge Fenton W. Booth, Judge S. Barney, and Judge George E. Downey. G. A. Helmicks vs. United States. J. M. Hancock vs. United States.

Stephen M. Katzer vs. United States. These cases were submitted by Mr. Geo. A. King, for plaintiffs, and Mr. R. P. Whiteley, for defendants.

Congressional (six cases) submitted by Mr. C. D. Pennebaker, for plaintiffs, and Mr. P. C. Walker, for defendants.

Cases posted for Monday: No. 3123—A. G. Gilbert vs. United States. Attorneys, C. R. Moore and Seth Shepard, Jr.

No. 3124—Bethlehem Steel Company vs. United States. Attorneys, J. H. Hayden and H. C. Workman.

Indian cases Nos. 5026, 1079, 1081, 2294 and 6274.

Law calendar Nos. 48, 53, 56 and 59; trial calendar No. 34.

D. C. Court of Appeals.
Argument for Monday:

292—Blair vs. United States ex rel Hellman; attorneys, Syme, Stephens-Leah.

293—Twyman vs. Carter, and Carter vs. Twyman; attorneys, Ralston, Richardson, Winfield-Kelvin.

294—Dunnington vs. Dunnington; attorneys, Wright & Wampler-Havell, Hawken.

295—Addison vs. Barnes; attorneys, Ralston, Edwards-Ralston & Richardson.

296—Super vs. Myers; attorneys, Wheatley-Phelps, Richardson.

297—Donovan vs. Mahoney; attorneys, Easby-Smith, Fleaharty-Gertman, Ridout.

298—Jacobi vs. Jacobi; attorneys, Newmyer-Wright & Wampler.

299—Johnson vs. McAdoo; attorney, Laskey.

District Supreme Court.
Equity Division No. 1.

In re lunacy of H. B. Anderson; order confirming auditor's report.

Windsor vs. Windsor; rule returnable May 5; plaintiff's attorney, E. L. Gies.

Howe vs. Thompson; order of publication; plaintiff's attorney, M. F. Managan.

Jacoby vs. Jacoby; rule returnable May 5; plaintiff's attorney, W. A. Coombe.

Reilly vs. Reilly; order amending bill; plaintiff's attorneys, L. A. Block and P. R. Gibbs.

Brandenburg vs. Dewey; reference to auditor; attorney, J. W. Whiting.

Flanagan vs. Arenda; order continuing rule; plaintiff's attorneys, J. S. Easby, Smith and R. B. Fleaharty; defendant's attorneys, Sheehy & Sheehy.

Robinson vs. Robinson; order discharging rule; plaintiff's attorney, Hubert Newman; defendant's attorney, O. A. Bigons.

turn of bond on appeal; plaintiff's attorneys, Barnard & Johnson and W. E. Lester; defendant's attorneys, O. B. Drake and J. C. Gittings.

John vs. David E. Cohen; order for alimony pendente lite; plaintiff's attorney, B. T. Doyle; defendant's attorney, E. L. Gies.

O'Donoghue vs. Conroy; reference to auditor; plaintiff's attorney, D. W. O'Donoghue; defendant's attorneys, Ellis & Donaldson.

Mayer vs. American Security and Trust Company, et al.; hearing on rule continued to May 12; plaintiff's attorneys, Ellis & Donaldson; defendant's attorneys, Ellis & Donaldson.

Moulton vs. Allison; time to file transcript extended to July 3; plaintiff's attorney, E. L. Gies; defendant's attorneys, A. D. Esher, J. E. Laskey and J. B. Archer.

Fenwick vs. Fenwick; rule discharged and suit dismissed; plaintiff's attorneys, White and Andrews; defendant's attorneys, T. C. Holland, Hoehling, Peelle & Ogilby.

Louis Maass vs. Wardman; time to file and settle statement of evidence extended to June 1, and to file transcript to June 15; plaintiff's attorney, W. G. Gardiner; defendant's attorneys, Brandenburg & Brandenburg.

Hill vs. O'Donoghue, trustee; reference to auditor; plaintiff's attorney, D. W. O'Donoghue.

No assignment for today.

Circuit Division, No. 1.
Justice Gies.

Henderson vs. Mann; jury repleaded until Monday; plaintiff's attorneys, E. Hill, Jr. and John Ridout; defendant's attorney, J. J. Darling.

Jackson vs. Mayer, administrator; verdict for plaintiff for \$1,000 and judgment forthwith without interest and costs; plaintiff's attorney, E. H. Jackson; defendant's attorneys, Ellis & Donaldson and A. H. Ferguson.

Thomas Somerville Company vs. O'Dea, judgment of Municipal Court affirmed; plaintiff's attorneys, J. D. Williams and J. W. Whiting.

Ellerson vs. Belmont; time to submit motion for new trial further extended to May 6; plaintiff's attorneys, Douglas, Ruffin & Obeas; defendant's attorneys, W. J. Lambert and R. H. Yeatman.

Woodward vs. Bekelman; motion for judgment granted; appeal noted super-seedeas; bond \$50; plaintiff's attorneys, B. W. Parker and J. S. Easby-Smith; defendant's attorneys, T. A. Jones and C. R. Abell.

United States vs. Washington and Old Dominion Railway Company; demurrer to declaration withdrawn; defendant to plead within ten days; plaintiff's attorney, J. E. Laskey; defendant's attorney, W. J. Lambert and R. H. Yeatman.

Dugdale vs. Bowman; motion for bill of particulars denied; plaintiff's attorneys, J. J. McMahon and John Ridout; defendant's attorneys, Fred S. Swindell and M. C. Van Fleet.

Morton vs. Pacific Mutual Life Insurance Company; demurrer to fourth and fifth pleas sustained and to sixth plea overruled; plaintiff's attorneys, Wright & Wampler, C. H. Hauman and G. P. Collins; defendant's attorneys, W. C. Clephane and E. S. Braehers.

Schenck vs. District of Columbia; motion to set date for trial granted and placed on assignment for June 13; plaintiff's attorneys, A. L. Newmyer and F. M. Pelzman; defendant's attorney, R. J. Whiteford.

Prince vs. Washington Terminal Company et al.; motions to strike out second plea of defendant, and to amend, sustained, motion to set date for trial granted and placed on assignment for June 5; plaintiff's attorneys, George E. Sullivan; defendant's attorneys, McKenney & Flannery.

Speer vs. Wilkinson; demurrer to declaration sustained; plaintiff's attorney, P. H. Marshall; defendant's attorney, E. L. Gies.

Crutcher vs. National Fire Proofing Company; motion of defendant for final judgment overruled; plaintiff's attorneys, D. W. Baker and W. J. Lambert; defendant's attorney, W. C. Clephane.

United States vs. Washington and Old Dominion Railway Company; motion for new trial argued and submitted; plaintiff's attorneys, Gittings & Gittings; defendant's attorneys, Ellis & Donaldson.

Frank vs. Love; time to submit motion for new trial extended to May 6; plaintiff's attorney, L. J. Mather; defendant's attorney, A. L. Newmyer.

Calvert vs. Terminal Taxicab Company; motion for new trial argued and submitted; plaintiff's attorneys, Gittings & Chamberlin and R. E. Mattingly; defendant's attorneys, D. W. Baker and O. H. Osterman.

Maybrick vs. Capital Traction Company; time to file transcript extended to May 5; plaintiff's attorneys, Leckie, Cox & Kratz; defendant's attorney, Frank J. Hogan.

No assignment for today.

Circuit Division No. 2.
Justice Stanford.

Cronan vs. Cronan; time to submit bill of exceptions extended to May 5; plaintiff's attorneys, B. E. Hinton and J. W. Cox; defendant's attorney, Arthur Peter.

Platorio vs. Washington Railway and Electric Company; order continuing rule; plaintiff's attorneys, Gittings & Chamberlin and R. E. Mattingly; defendant's attorneys, D. W. Baker and O. H. Osterman.

High Point Hardware Lumber Co. vs. Davidson et al.; plaintiff ordered to undertake as security for costs within ten days with leave to deposit \$5 in lieu; plaintiff ordered to furnish bill of particulars within ten days; plaintiff's attorneys, T. H. Patterson and Hayden Johnson; defendant's attorneys, D. S. Mackall and J. B. Carter.

Karrick vs. George A. Fuller Co.; motions for new trial and in arrest with drawn; judgment on verdict for plaintiff on first, second and third counts for \$32,70, and for defendants on fourth and fifth counts; plaintiff's attorneys, H. L. Quinn, C. H. Merrill and P. H. Marshall; defendant's attorney, E. S. Duval, Jr.

Trimble vs. District National Bank; motion for new trial overruled and judgment on verdict for plaintiff for possession of land; plaintiff's attorneys, D. W. Baker and O. H. Osterman.

Marston vs. Stillings; judgment under seventy-third rule against defendant for \$300; less certain credits; plaintiff's attorneys, A. I. Hickey and F. S. Paladini; defendant's attorney, Peyton Gordon.

Colonial Bank and Trust Co. vs. McEwan; commission ordered to issue; plaintiff's attorneys, Brandenburg & Brandenburg; defendant's attorneys, John Ridout.

Hill vs. Van Valkenburg; motion to strike out first replication to defendant's plea granted; motion to strike out second replication to defendant's plea overruled; demurrer to first and second replications withdrawn; leave to file rejoinder within five days; plaintiff's attorney, P. Digne; defendant's attorneys, F. S. Hill and J. C. Rogers.

Nathan vs. Parker; plaintiff granted leave, and amendment to declaration withdrawn, with leave to forthwith file second amendment to declaration with leave to defendant to plead within five days; plaintiff's attorneys, Alexander Wolf and A. L. Newmyer; defendant's attorney, John Ridout.

Grove vs. Peter Grogan & Sons Co.; motion for new trial overruled and judgment on verdict for plaintiff for defendant for \$50; plaintiff's attorneys, L. J. Mather

and R. J. Downey; defendant's attorneys, D. W. Baker and H. A. Grant.

Klein vs. City and Suburban Railway Co.; motion for new trial argued and submitted; plaintiff's attorneys, H. L. Quinn and J. E. Esher, Jr.; defendant's attorney, George P. Hoover.

Boxley vs. Warren F. Brenizer Co., and Masterson vs. same; motion to advance for trial granted and set for May 24; plaintiff's attorneys, F. B. Rhodes, P. B. Cromelin and H. A. Baker; defendant's attorneys, Maddox & Galtley and W. H. Price, Jr.

No assignment for today.

Criminal Division, No. 1.
Chief Justice Covington.

United States vs. Harry Warnell; seduction; verdict guilty; attorney, James A. O'Shea.

No assignment for today.

Criminal Division, No. 2.
Justice Siddons.

United States vs. Charles C. Glover, William J. Flather and Henry H. Flather; perjury; motion to consolidate granted; attorneys, George P. Hoover and W. G. Johnson.

United States vs. George W. Heim; adultery; time to submit bill of exceptions extended to May 25; and to file transcript to June 1; attorney, M. E. O'Brien.

White vs. Winter; time to file transcript extended to May 29; plaintiff's attorney, Andrew Wilson; defendant's attorneys, J. S. Easby-Smith and H. R. Burton.

Green vs. Reeves; time to submit motion for new trial extended to May 6; plaintiff's attorney, John Ridout; defendant's attorney, P. Marshall.

Andrews Paper Company vs. McMahon; time to submit motion for new trial extended to May 6; plaintiff's attorney, C. T. Hendler; defendant's attorney, John Ridout.

In re estate of Catherine Weems, deceased; verdict setting will aside; caveat; attorneys, C. S. Hill and Richardson & Shreve; caveater's attorney, M. J. Colbert and W. H. DeLacy.

Motions for today.

Probate Division.
Justice McCoy.

Estate of Effie J. Burch; petition to make certain payments filed; attorney, L. H. Fisher.

Estate of Ultima A. R. Dooley; order for certain credits in annual account; attorneys, Toomey & Toomey.

In re Mark N. Lynch; order for allowance; attorney, W. E. Lester.

Estate of James H. Winslow; order for sale of chattels; attorney, Irving Williamson.

Estate of Anders Peterson; order admitting will to probate and granting letters testamentary to Mamie Indiveres; bond \$100; attorney, H. P. Kennedy.

Estate of James H. Hart; order for commission to issue; attorneys, Hoehling, Peelle & Ogilby.

In re Eva L. Clapp; order appointing Anna H. Clapp guardian; bond \$4,000.

Estate of Sarah C. Cecy; answer to petition filed.

Estate of Michael Biggins; will dated November 19, 1890, filed.

Estate of Britannia C. Reed; order permitting withdrawal of appearance; attorney, C. A. Barnard.

Estate of Charlotte Dalley; order continuing hearing on rule.

Estate of Alice L. McCormick; petition for probate of will filed; attorney, D. E. Clarke.

Estate of Sarah C. Cecy; order for partial distribution; attorneys, White & Andrews.

District Division.
Justice Siddons.

In re opening of Calvert street; marshal directed to summon jury; to be sworn in on May 6.

In re extension of Porter Place; marshal directed to summon jury to be sworn in on May 6.

In re Girard avenue; motion to dismiss overruled.

Bankruptcy Division.
Justice Anderson.

In re J. William Henry; order to make more specific.

Lawsuits.
39995—Thos. Somerville Company (appellee) vs. O'Dea; appeal.

39996—Catherine Evely, administratrix of the estate of Margaret J. Evely, vs. plaintiff's attorney, Mark Stearns.

39997—The Commercial National Bank vs. White Cross Milk Company; J. Selwin Tait, Charles H. Pepper, T. Madison Hall, Allan P. Hume and Charles H. Ried, plaintiffs; defendant's attorneys, Ellis & Donaldson.

39998—Clarence A. Canter vs. Washington Railway and Electric Company; damages \$2,000; plaintiff's attorney, M. D. Rosenberg.

39999—George O. De Marr vs. Washington Railway and Electric Company; damages \$2,500; plaintiff's attorney, M. D. Rosenberg.

40000—Charles G. Pleasant vs. Washington Railway and Electric Company; damages \$5,000; plaintiff's attorney, M. D. Rosenberg.

ONLY FIVE DAYS MORE

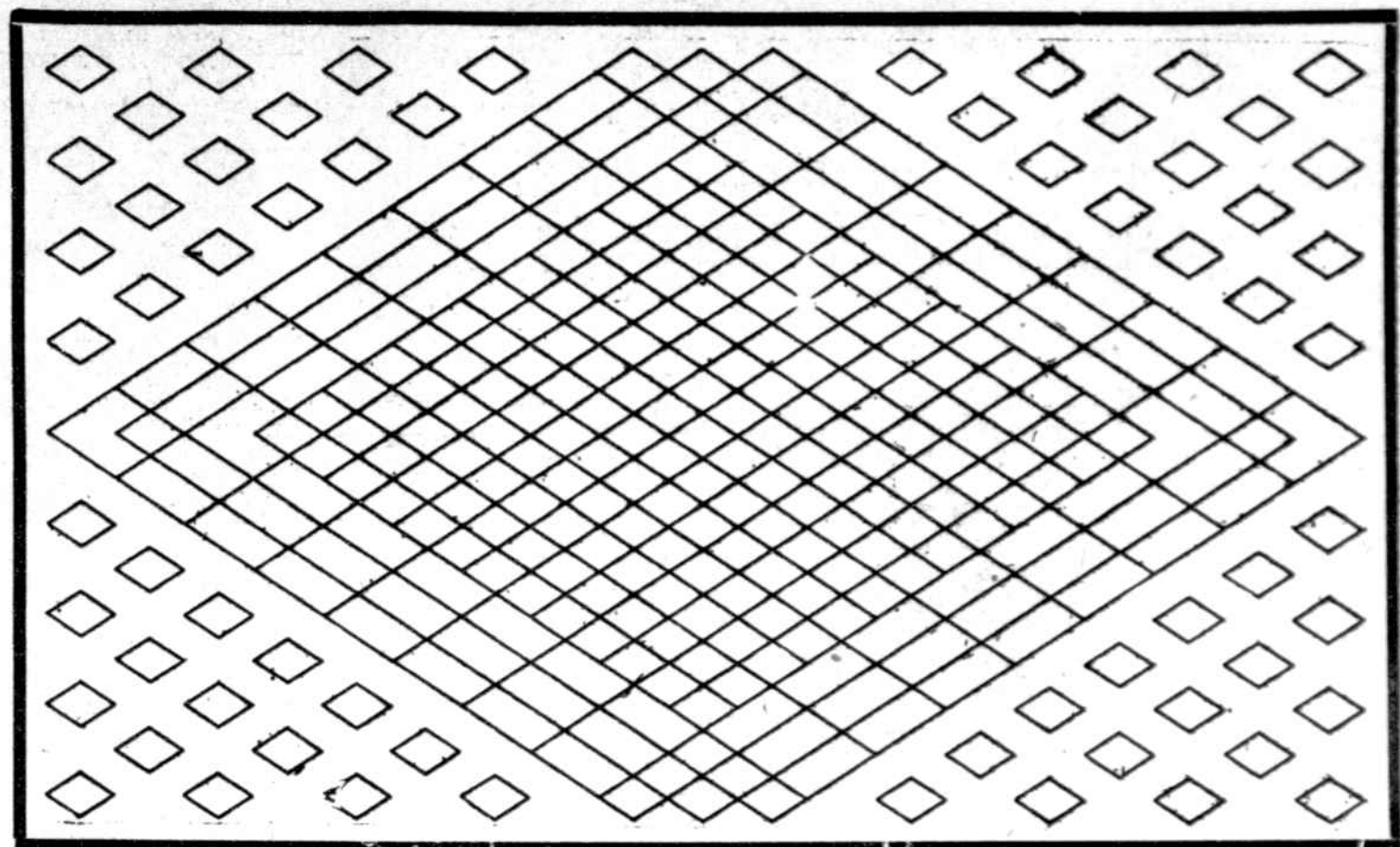
\$500 FIRST PRIZE

To Solve the Diamond Puzzle

LAST DAY, MAY 3

Those Who Enter Now Have the Same Chance as Those Who Have Already Submitted Solutions

THE WASHINGTON HERALD'S DIAMOND PUZZLE



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THE PROBLEM

Diamonds of various sizes are described, or outlined, in the puzzle chart.

The problem is to ascertain how many diamonds there are altogether. Read the rules and conditions carefully.

By "Diamond" is meant a character similar in shape to the diamond on ordinary playing cards, the four lines describing it being of equal length. This may be ascertained, if in doubt, by either measurement, or cutting the diamond out and folding it over in the center, or by any other means which the ingenuity of contestants may suggest.

Provided the one simple rule is complied with that the lines describing each diamond be of the same length, the lines in the chart may be used as often as desired in forming different combinations, each combination constituting an individual diamond. Every possible combination, therefore, contestants may avail themselves of to form diamonds through the manipulation of lines of equal length is permissible. No alterations in the lines, however, as they appear in the chart can be made, such as extending or erasing them.

There is no "joker" or trick of any kind in the chart. The chart was drawn with absolute precision and accuracy, and contestants should be able to determine at a glance whether the lines in the various combinations are of equal length.

The purpose of the "Diamond" puzzle is to afford amusement and pleasant mental exercise to the readers of The Herald, and to invite new subscriptions from those who are not already enrolled among those who subscribe for Washington's fastest-growing newspaper.

The prizes in this contest will be awarded to those submitting the best solutions, regardless of whether such solutions are absolutely correct or not.

SPECIAL CONDITIONS

As many prizes will be reserved as there are people before any prizes are awarded to those sending in less correct solutions.

While the winning of most of the prizes does not depend upon the time a solution is registered, it is best to begin counting at once and send in your solution as soon as you have finished, and if later you find you have made a mistake, you can send in another solution, if accompanied by an additional payment.

The prizes are offered for individual effort and The Herald reserves the right to reject any solution and to reward whatever merit is paid in connection with it. If it appears that the answer submitted is the result of the efforts of some other than the person who submitted the solution, if more than one member in a family submits the same answer only one prize will be awarded jointly.

All those entering the contest will be as a condition and consideration, be required to abide by the rulings of the Puzzle Manager. In the event of any questions arising the Puzzle Manager may appoint a committee to assist him in deciding them, and those entering the contest do so with the understanding and consent that such decision will be final.

In order that the Puzzle Manager may be in a position to judge whether a solution was actually worked by the person submitting it, each contestant agrees to furnish such information as is desired. Retain all your working papers until called for.

Note Carefully

All solutions to the Diamond Puzzle must be submitted or mailed not later than Tuesday, May 2, 1916.

The Problem Department at the office of The Herald will gladly furnish any information desired. No one connected with The Herald in any capacity will be permitted to enter this contest.

THE PRIZES

Note Carefully
the Dividend Plan

First Capital Prize—One hundred and forty dollars to which will be added fifty times the amount paid by the winner on subscription to The Herald. The maximum value of this prize is \$500.

Second Capital Prize—Seventy dollars to which will be added twenty-five times the amount paid by the winner on subscription to The Herald. The maximum value of this prize is \$250.

Third Capital Prize—Twenty-five dollars plus ten times what the winner pays on his subscription. Should the winner of this prize pay the maximum amount allowed under the conditions he will be awarded an even hundred dollars.

Fourth Prize—Fifty dollars.

Fifth Prize—Thirty dollars.

Sixth Prize—Twenty-five dollars.

Seventh Prize—Fifteen dollars.

Eighth Prize—Ten dollars plus what the winner pays on subscription to The Herald.

Ninth to Eighteenth Prizes—Five dollars each.

Nineteenth to Twenty-fifth Prizes—Three dollars each.

Twenty-sixth to Thirtieth Prizes—One dollar each.

Notice to Mail Subscribers.

The dividend prizes are based upon the city rates of subscription and will be paid on that basis, the extra mail rate of five cents a month for the Daily and Sunday being to cover postage on the Sunday edition.

Special Chart Books

Books of Special Charts May Be Obtained for 15 Cents. Those desiring extra charts printed on better paper may obtain books containing ten charts for 15 cents. If ordered sent by mail add 2 cents for postage.

HOW TO ENTER

This contest is open to everybody everywhere in the United States east of the Mississippi River. A payment on subscription of from 50 cents to \$2.50 for The Washington Herald (or from \$1.00 to \$8.00 if the paper is to be mailed) entitles a contestant to submit one solution of the puzzle. In remitting please note schedule of rates and remit in multiples of 50 cents a month for service by carrier or if by mail in multiples of 50 cents for the Daily and 25 cents for Daily and Sunday.

As many different solutions may be submitted of the Diamond Puzzle as the contestant desires upon making an additional payment of not less than 50 cents nor more than \$7.50 with each different solution. It is not necessary to pay the same amount with each solution, if more than one is submitted. As the prizes have added value according to what is paid on subscriptions with the winning solutions, contestants should familiarize themselves with the dividend schedule before sending their subscription and solution. (See prize list.) After once being submitted a solution cannot be changed.

Remit by check, money order or cash in registered letter. Solutions unaccompanied by cash subscriptions will not be registered. The contest is open to both old and new subscribers.

Whatever is paid, whether on one or a number of solutions, applies on a continuous subscription to The Washington Herald.

DECIDING TIES

Those tying will be required to solve a second problem, a reduced illustration of which will be found in the larger advertisements, or may be obtained by applying to the contest manager. This puzzle will consist of drawing a chain across a chart made up of diamonds with figures inserted so that the number of the diamonds will total a given number of points, the number of circles in each section of the chain being limited to either three, four, or five.

The second problem will be presented immediately following the registration of all answers to the prize puzzle, and a week will be given in which to solve it. Should further ties ensue, the same chart will be rearranged, and those tying will be required to solve it again. In the almost impossible event of further ties, a third and fourth re-arrangement will be made, but after that, should any ties ensue, the contestants so tying shall each receive the full amount of the prize tied for.

(Cut Out Neatly Around Margin.)

This Blank Must Accompany All Solutions

I herewith inclose \$..... for subscription to The Washington Herald.

Name.....

Address.....

I submit as my solution the following to be the total number of diamonds in the puzzle chart.

If you wish the paper sent to any other address or person than indicated above write name and address here. Otherwise leave blank.

Name.....

Be sure to write names and addresses plainly and in full, such as giving apartment numbers, rural route and box numbers, etc.